



Order Filed on October 24, 2016  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

Giuseppe Cianci and Rita Cianci

Case No.:

16-19448

Adv. No.:

Hearing Date:

Judge: Kathryn C. Ferguson

## ORDER

The relief set forth on the following pages, numbered two (2) through \_\_\_\_\_ is hereby **ORDERED**.

DATED: October 24, 2016

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".

Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

**TUCKER ARENSBERG, P.C.**  
Jordan S. Blask, Esq. (NJ I.D. # JB4173)  
1500 One PPG Place  
Pittsburgh, Pennsylvania 15222  
Phone: (412) 566-1212  
Fax: (412) 594-5619

*Counsel to PNC Bank, National Association*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

In Re:	Bankruptcy No. 16-19448
Giuseppe Cianci	Chapter 13
Rita Cianci	Related to Doc No. 12
Debtors	Judge: Kathryn C. Ferguson

**STIPULATION OF PNC BANK, N.A. AND DEBTORS REGARDING THE DEBTORS'  
CHAPTER 13 PLAN**

PNC Bank, National Association ("PNC Bank"), by and through its undersigned counsel, and Giuseppe Cianci and Rita Cianci (the "Debtors") by and through their undersigned counsel, with the following Stipulation:

**RECITALS**

WHEREAS, the Debtors filed for protection under Chapter 13 of Title 11 of the United States Code on May 16, 2016 (the "Petition Date");

WHEREAS, the Debtors are obligated to PNC Bank pursuant to a Home Equity Line of Credit Agreement and Disclosure Statement in the original principal amount of \$91,750.00 dated January 31, 2006 (the "Note");

WHEREAS, the Note is secured by a Mortgage on the Debtors' real property located at 61 Hawthorne Drive, Tinton Falls, New Jersey 07753 (the "Mortgaged Premises") that was

recorded on March 9, 2006 with the Monmouth County Records at Book 8547 and Page 6617  
(the "Mortgage");

WHEREAS, on May 27, 2016, the Debtors filed a Chapter 13 Plan;

WHEREAS, PNC Bank and the Debtors have agreed upon the terms of the proposed  
agreement.

AND NOW, in consideration of the foregoing recitals, and with PNC Bank and the  
Debtors intending to be legally bound, the parties hereby stipulate and agree as follows:

1. The lien of PNC evidenced by the Mortgage on the Mortgaged Premises shall be  
avoided upon the completion of the Debtors' Chapter 13 Plan and the subsequent discharge of  
the Debtors;

2. The lien is held until plan completion and discharge and continuing until the  
Claim has been paid in full;

3. All other terms, provisions, conditions, obligations, covenants, agreements, rights  
and remedies set forth in the Note and Mortgage remain in full force and effect;

4. The Debtors cannot further modify or reduce PNC Bank's claim;

5. The terms of this Stipulation may not be modified, revised, altered or changed to  
any extent, whether set forth in a Chapter 13 Plan or not, without the express written consent of  
both the Debtors and PNC Bank;

5. The Debtors and PNC Bank agree that the recitals set forth herein are  
incorporated into the Stipulation as though set forth at length;

6. In the event the Debtors' Chapter 13 bankruptcy case is dismissed or converted to  
a Chapter 7, 11 or 12 bankruptcy case, the modification of the terms of the PNC Bank's secured

Claims by the terms of this Stipulation shall be deemed null and void without further hearing or Order; and

7. This Court shall retain jurisdiction to enforce the terms of this Stipulation.

WHEREFORE, PNC Bank and Debtors respectfully request that this Honorable Court execute the Order of Court approving the Stipulation.

Stipulated and Agreed to:  
Counsel for the Debtors

VEITENGRUBER LAW LLC

s/  
  
George E. Veitengruber, III, Esq.  
1720 Highway 34  
Suite 10  
Wall, NJ 07727  
(732) 695-3303  
Gveitengruber.esq@gmail.com

Stipulated and Agreed to:  
Counsel for PNC Bank

TUCKER ARENSBERG, P.C.

s/  
  
Jordan S. Blask, Esq.  
1500 One PPG Place  
Pittsburgh, PA 15219  
(412) - 566-1212  
jblask@tuckerlaw.com

**Certificate of Notice Page 5 of 5**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Giuseppe Cianci  
 Rita Cianci  
 Debtors

Case No. 16-19448-KCF  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Oct 24, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2016.

db/jdb +Giuseppe Cianci, Rita Cianci, 61 Hawthorne Drive, Tinton Falls, NJ 07753-7575

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 26, 2016

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
 Albert Russo docs@russotrustee.com  
 Denise E. Carlon on behalf of Creditor MANUFACTURERS AND TRADERS TRUST COMPANY et al...  
 dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
 Denise E. Carlon on behalf of Loss Mitigation Bank of America,NA dcarlon@kmllawgroup.com,  
 bkgroup@kmllawgroup.com  
 George E Veitengruber, III on behalf of Joint Debtor Rita Cianci Gveitengruberesq@gmail.com,  
 knapolitanol5@gmail.com  
 George E Veitengruber, III on behalf of Debtor Giuseppe Cianci Gveitengruberesq@gmail.com,  
 knapolitanol5@gmail.com  
 Hubert C. Cutolo on behalf of Creditor Fox Chase IV, Phase II Condominium Association, Inc.  
 hcutolo@cutololaw.com  
 Jordan Seth Blask on behalf of Creditor PNC Bank, National Association jblask@tuckerlaw.com,  
 agilbert@tuckerlaw.com/apetronchak@tuckerlaw.com

TOTAL: 8